

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.19282 of 2015
and
M.P.No.1 of 2015

Rama Boyan

...Petitioner

-Vs-

1. The District Collector,
Namakkal District,
Namakkal.
2. The Tahsildar,
Tiruchengode,
Tiruchengode Taluk,
Namakkal District.
3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode,
Namakkal.
4. T.V.Thangavel

...Respondent

Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to grant patta to the petitioner in respect of the house property measuring 3000 sq.ft., bearing Old S.F.No.61/2, new T.S.No.6/1, Ward A, Block 25, SVA Extension Street No.1, Tiruchengode Town, Namakkal district and ensure protection to his life and property by considering his representations dated 19.03.2014 and 13.04.2015.

For Petitioner : Mr.N.Manokaran

For Respondents 1 to 3 : Mr.R.M.Muthukumar,
Govt.Advocate

O R D E R

By consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner claims that he is the resident of Tiruchengode along with his family in Door No.147/81/2-B, S.V.A. Extension Street No.1, Thiruchengode, Namakkal District, for the past 40 years. According to him, nearly 30 families who belonged to the below poverty line are also living in Old Survey No.61/1, Ward A, Block 24, TSLR No.1 for the past 40 years. The petitioner would submit that the petitioner is also paying house tax and electricity charges etc. It is further stated by the petitioner that though the 4th respondent was granted patta on 28.12.1973 in respect of 71 cents in S.No.61/2 Seetharampalayam village, Tiruchengode Taluk, for the purpose of establishing dairy, he did not do so. Therefore, the petitioner as well as the similarly placed persons submitted a representation to the 3rd respondent for grant of patta. On receipt of representation, the 3rd respondent made a positive recommendation to the Tahsildar, by letter in Na.Ka.No.3436/98/F1 dated 25.06.1998. Since no orders have been passed, the petitioner has submitted a representation to the 1st respondent and 2nd respondents. Since they have not been favoured with any response, this writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and Mr.RM.Muthukumar, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3.

4. This Court, in the light of the facts and circumstances of the case, without going into the merits of the claim made by the petitioner in this writ petition, permits the petitioner to submit one more representation to the 2nd respondent by enclosing a copy of this order as well as a copy of the earlier representation, within a period of three weeks from the date of receipt of a copy of this order. The second respondent, on receipt of the representation of the petitioner is directed to consider the same on merits and in accordance with law, after putting on notice to the 4th respondent and pass orders within a period of six weeks thereafter and communicate the decision taken to the petitioner as well as the 4th respondent.

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5. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
Namakkal District,
Namakkal.
2. The Tahsildar,
Tiruchengode,
Tiruchengode Taluk,
Namakkal District.
3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode,
Namakkal.

1 CC to Mr.N.Manokaran, Advocate SR.No. 33045

1 CC to the Government Pleader, SR.No. 33352

सत्यमेव जयते

W.P.No.19282 of 2015

VD (CO)
PSI (14.07.2015)

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